



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(PD)(MD)No.2039 of 2016

and

CMP(MD)Nos.9593 of 2016 and 8276 of 2017

Selvin Devadhas

... Petitioner/Respondent/Petitioner

vs.

T.Vinitha

... Respondent/Petitioner/Respondent

Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 19.08.2016 made in I.A.No.71 of 2016 in D.O.P.No.461 of 2015 on the file of the District Judge, Kanyakumari District @ Nagercoil.

For Petitioner

: Mr.S.Sethuraman

For Respondent

: Mr.R.Russel Raj

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order dated 19.08.2016 made in I.A.No.71 of 2016 in D.O.P.No.461 of 2015 on the file of the District Judge, Kanyakumari District @ Nagercoil.

2.On 29.01.2018, this Court passed the following order:-

''The parties had entered into a settlement, by which, the petitioner agreed to pay a sum of Rs.7,00,000/- as one time settlement and the petitioner had already deposited Rs.2,50,000/- before the Trial Court and therefore, the petitioner was directed to deposit the balance amount of Rs.4,50,000/- on or before 25.01.2018.

2.Today, learned counsel for the petitioner brought a demand draft for the balance amount of Rs.4,50,000/- and prayed for a direction to deposit the same.

3.Post on 02.02.2018 for recording the compromise.''

3.Today, a memo of compromise dated 05.02.2018 signed by the petitioner and the respondent and their respective learned counsel has been produced before this Court which is extracted hereunder:-

<https://hcservices.ecourts.gov.in/hcservices/>

1.The petitioner has already deposited a sum of Rs.2,50,000/- to the credit of D.O.P.No.461/2015 on the



file of the District Court, Kanyakumari District at Nagercoil.

2.The petitioner has agreed to deposit a sum of Rs.4,50,000/- and has taken a D.D in the Indian Overseas Bank. Manavala Kurichi Branch and same shall be deposited in the credit of D.O.P.No.461/2015, District Judge, Kanyakumari District, Nagercoil and the respondent can withdraw the same after the withdrawal of D.V.O.P.No.1/2016 Judicial Magistrate No.2 at Nagercoil and C.C.No.76/2016 Judicial Magistrate, Eraniel.

3.The respondent hereby undertakes to withdraw the aforesaid petition D.V.O.P.No.1/2016 and C.C.No.76/2016 referred above.

The respondent shall give no objection to the petitioner for divorce in D.O.P.No.461/2015 on the file of the District Judge, Kanyakumari at Nagercoil.''

4.As per the terms of compromise, the revision petitioner shall deposit Rs.4,50,000/- to the credit of D.O.P.No.461/2015 on the file of District Judge, Kanyakumari District, Nagercoil, within a period of one week from the date of receipt of a copy of this order. On deposit of the said amount, the respondent undertakes to withdraw D.V.O.P.No.1/2016 on the file of Judicial Magistrate No.2 at Nagercoil and C.C.No.76/2016 on the file of Judicial Magistrate, Eraniel. The learned District Judge, Kanyakumari District, Nagercoil, is directed to dispose of D.O.P.No.461/2015 within a period of two months, so that the parties may be set at liberty to have their own life.

5.Recording the memo of compromise dated 05.02.2018, this Civil Revision Petition is disposed of. The terms of compromise shall form part and parcel of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

Herewith enclosed the xerox copy of the Compromise Memo

To

The District Judge, Kanyakumari District @ Nagercoil.

+1CC to Mr.S.Sethuraman, Advocate, SR.No. 46284

CRP(PD) (MD) No.2039 of 2016

05.02.2018